

Application No.: 10/607,579

REMARKS

Claims 1 and 3-6 stand rejected under 35 U.S.C. § 102 as being anticipated by Ono et al. '281 ("Ono"), and claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Ono. These rejections are respectfully traversed for the following reasons.

Claims 1 and 6 each recites in pertinent part, "at least one of the pair of corner portions of the light guiding plate has an inclined face formed so as to intersect the light incident face, the side surface adjacent to the light incident face, and the top surface, and to face obliquely *upward*" (emphasis added). According to one aspect of the present invention as now recited in claims 1 and 6, light emitted from the light source, incident on the light guiding plate, and reflected by the inclined face of the light guiding plate can be reflected by the bottom surface of the light guiding plate, and can emanate from the top surface of the light guiding plate, thereby enabling the elimination of dark portions. In contrast, Ono discloses only corner portions which face obliquely *downward*. Ono does not disclose or suggest, *inter alia*, the above-emphasized feature, let alone in the particular combination of elements defined in claims 1 and 6.

As anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed, either expressly or inherently (noting that "inherency may not be established by probabilities or possibilities", *Scaltech Inc. v. Retec/Tetra*, 178 F.3d 1378 (Fed. Cir. 1999)), in a single prior art reference, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986), based on the forgoing, it is submitted that Ono does not anticipate claims 1 and 6, nor any claim dependent thereon.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

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To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claim 2 because the proposed modification fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplicatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claims 1 and 6 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable. In addition, it is respectfully submitted that the dependent claims are patentable based on their own merits by adding novel and non-obvious features to the combination.

Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejections under 35 U.S.C. § 102 and 103 be withdrawn.

CONCLUSION

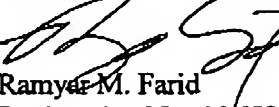
Having fully and completely responded to the Office Action, Applicants submit that all of the claims are now in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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